

APR 08 2015

SECRETARY, BOARD OF
OIL, GAS & MINING

**BEFORE THE BOARD OF OIL, GAS AND MINING
DEPARTMENT OF NATURAL RESOURCES
STATE OF UTAH**

IN THE MATTER OF THE REQUEST FOR AGENCY ACTION OF EP ENERGY E&P COMPANY, L.P. FOR AN ORDER POOLING ALL INTEREST, INCLUDING THE COMPULSORY POOLING OF THE INTERESTS OF ARGO ENERGY PARTNERS, LTD., DUSTY SANDERSON, HUNT OIL COMPANY, KKREP, LLC, AND J.P. FURLONG CO., IN THE DRILLING UNIT ESTABLISHED FOR THE PRODUCTION OF OIL, GAS AND ASSOCIATED HYDROCARBONS FROM THE LOWER GREEN RIVER-WASATCH FORMATIONS COMPRISED OF ALL OF SECTION 2, TOWNSHIP 3 SOUTH, RANGE 5 WEST, U.S.M., DUCHESNE COUNTY, UTAH

MOTION TO CONTINUE

Docket No. 2015-013

Cause No. 139-130

COMES NOW, J.P. Furlong Co., ("Respondent") acting by and through their attorney, Anthony T. Hunter, pursuant to Utah Admin. Code Rule R641-104-160, and hereby move the Utah Board of Oil Gas and Mining (the "Board") to continue the captioned Cause until the hearing scheduled for May 27, 2015 in Salt Lake City. In support of their motion, Respondent states as follows:

1. Respondent's main witnesses, Timothy P. Furlong and Ramona Garcia Furlong, Esq. will not be available on the currently scheduled date of the hearing. On Thursday, April 23, 2015, their presence is required at a hearing before the Industrial Commission of the State of North Dakota in Bismarck, ND. Given that this month's hearing is in Moab, the uncertainty of air travel connections make attending both hearings a practical impossibility. As the principal of J.P. Furlong Co. in the first instance and its counsel and primary negotiator in the second, their presence is necessary to the proper preservation of Respondent's rights in this matter.

2. As noted in the Response to Request for Agency Action dated April 8, 2015, Petitioner cut off negotiations regarding the proposed Joint Operating Agreement by filing this cause. Respondent still believes there is at least some room to come to a voluntary agreement – or in the alternative, narrow the issues in dispute, *see* Response to Request for Agency Action at Footnote 9 – instead of arguing over the terms of a Board-imposed operating agreement. A thirty day continuance as contemplated by Utah Admin. Code Rule R649-2-9 (2) (“If the operator of the proposed well shall fail to attempt, in good faith, to reach agreement with the owner...”) would provide an opportunity for the parties to increase the efficiency and effectiveness of their time in front of the Board.
3. As a practical matter, a hotly contested hearing during the Board’s annual scheduled “field trip” session imposes additional costs in time and resources for the Board, the Division, and the parties involved. A thirty day continuance would conserve those resources as well as provide time to narrow the issues in dispute.

WHEREFORE, Respondent respectfully requests that the Board:

- a. CONTINUE the captioned matter until the May 27, 2015 hearing in Salt Lake City; and
- b. Provide other such relief as appears just and reasonable.

By: _____



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ORDER FOR CONTINUANCE

Docket No. 2015-013
Cause No. 139-130

Having reviewed J.P. Furlong Co.'s Motion to Continue, the record of the captioned cause, and otherwise being fully advised on the premises,

1. J.P. Furlong Co's Motion to Continue, is hereby GRANTED; and
2. The captioned cause shall be continued until the regularly scheduled hearing on May 27, 2015 in Salt Lake City.

SO ORDERED, this _____ day of April, 2015.

Ruland J. Gill, Jr., Chairman

Prepared by:
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CERTIFICATE OF MAILING

I certify that I caused a true and correct copy of the foregoing document to be mailed via U.S. Postal Service and via electronic mail to the below named parties.

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Signed, this 8th day of April, 2015.


